

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

v.

GINGER LILLIAN CARLIN,

*Defendant.*

Case No. 1:22-MJ-94

**SECOND CONSENT MOTION TO EXTEND TIME FOR INDICTMENT**

The United States of America, by and through its attorneys, Jessica D. Aber, United States Attorney for the Eastern District of Virginia, and Bibeane Metsch, Assistant United States Attorney, with the express consent of the defendant, and the defendant's counsel, respectfully move the Court to extend the time to file an indictment in this case through and including August 28, 2022. In support thereof, the parties state as follows:

1. On or about April 27, 2022, the defendant was charged by criminal complaint with conspiracy to distribute 50 grams or more of methamphetamine (actual), in violation of Title 21, United States Code, Sections 841 and 846.

2. On or about May 31, 2022, the defendant self-surrendered to law enforcement pursuant to an arrest warrant issued in conjunction with the criminal complaint. That same day, the defendant made her initial appearance in the Eastern District of Virginia and was ordered temporarily detained. Thomas B. Walsh, Esq., was appointed to represent the defendant. On June 3, 2022, the detention hearing was held. The Court ordered that the defendant be released from custody under conditions of release. The preliminary hearing was held on June 16, 2022, and the Court found probable cause to hold the matter over for further proceedings before the grand jury.

3. The Speedy Trial Act requires that the government file an indictment within 30 days of the defendant's arrest after subtracting all excludable time. A conservative estimate of the original indictment deadline in this case was June 30, 2022. On June 21, 2022, this Court granted the parties' first motion to extend time for indictment through and including July 29, 2022. Since that time and while the defendant has been released under supervision, the parties exchanged preliminary pre-indictment discovery and conferred about terms for a potential pre-indictment plea agreement.

4. The parties now jointly request an additional extension of the time to indict by 30 days. Such an extension would best serve the interests of justice because defense counsel continues to meet with the defendant, review discovery with the defendant, and discuss a possible pre-indictment plea resolution with the government in this case.

5. The defendant hereby agrees to waive any objections under the Speedy Trial Act and to extend the government's time to file an indictment or information in this case through and including August 28, 2022. The waiver is made knowingly, intentionally, and voluntarily by the defendant, and with full knowledge of the provisions of the Speedy Trial Act, Title 18, United States Code, Sections 3161, *et seq.*, and with the advice and consent of counsel.

6. The defendant expressly understands that her waiver is not predicated upon any promises, agreements, or understandings of any kind between the government and the defense in this case, and that nothing contained herein shall be construed to preclude the government from proceeding against the defendant during or after the time period covered by this waiver.

7. Furthermore, defense counsel has represented to the Government via conversation in-person and over the telephone that defense counsel has fully explained to the defendant the defendant's right to be charged by indictment or information within 30 days of arrest. Defense

counsel represents that he has reviewed the terms and conditions of Title 18, United States Code, Section 3161(b), and he has fully explained to the defendant the provisions that may apply in this case. Defense counsel represents that, to his knowledge, the defendant's decision to agree to an extension of time to be charged by indictment or information is an informed and voluntary one.

8. Defense counsel further represents that the defendant fully understands her rights with respect to a speedy trial, including her right to be charged by indictment or information within 30 days of arrest, as required by Title 18, United States Code, Section 3161(b). Defense counsel represents that the defendant understands this motion and voluntarily agrees to it.

WHEREFORE, the parties request that the time to file an indictment or information in this case be extended through and including August 28, 2022 and that the delay resulting from this extension be excluded in computing the time within which an indictment must be filed pursuant to Title 18, United States Code, Section 3161(h).

Respectfully submitted,

Jessica D. Aber  
United States Attorney

Date: July 13, 2022

By: /s/  
Bibeane Metsch  
Assistant United States Attorney



THOMAS R. WALSH  
COUNSEL FOR GINGER CARLIN